

REMARKS

Claims 1-49 are pending and stand rejected and are therefore at issue.

Support for the Amendments

Claim 6 is amended to correct an obvious and inadvertent clerical error in which Claim 6 originally depended from Claim 3 rather than Claim 5 in which Claim 6 finds antecedent basis for "the media licensing computer system." The amendment to Claim 6 does not narrow the claim in any way. Claim 6 as amended is supported at least by Claim 6 as originally filed.

No new matter is added.

The Claims Comport with Section 112

The Examiner rejected Claim 6 under Section 112, second paragraph, asserting that no antecedent basis is found for "the media licensing computer system." As amended, Claim 6 depends from Claim 5 in which "a media licensing computer system" provides proper antecedent basis for Claim 6. Accordingly, this Amendment overcomes the Examiner's rejection.

The Claims Are Allowable over the Cited Art**Payne et al. Alone**

The Examiner rejected all pending claims in view of Payne et al. (U.S. Patent No. 5,715,314), either alone or in combination with Stefik et al. (U.S. Patent No. 6,236,971). Applicants respectfully traverse these rejections and request reconsideration and withdrawal of these rejections.

As a preliminary matter, Applicants thank the Examiner for clarification regarding specific teachings of Payne et al. believed to read upon specific respective claim limitations. Applicants respectfully submit that the Examiner's argument is not readily apparent from the prior Office Action.

Claim 1 recites a "merchant computer system" which receives "a purchase request for a digital product." Claim 1 also recites that a "content manager computer system" which receives a "delivery request signal from the merchant computer system" (emphasis supplied). Thus, as recited in Claim 1, the same computer system receives the request for purchase of the digital product and sends the reservation request to the content manager computer system. In support of this rejection, the Examiner analogized payment computer 16 of Payne et al. to the recited merchant computer system with respect to receiving a purchase request and analogized buyer computer 12 of Payne et al. to the recited merchant computer system with respect to sending the reservation request. Thus, the Examiner has cited no teaching or suggestion that the same computer system both receives the purchase request from the client computer system and sends a reservation request to the content manager computer system as recited by Applicants' Claim 1.

The difference between receiving a reservation request from the merchant computer system rather than from the client computer system is significant. In a typical purchase transaction, the merchant computer system and the content manager computer system both act on behalf of a seller and are therefore trustworthy to each other. However, the client computer system acts on behalf of the buyer and is not trustworthy to either the merchant computer system or the content manager computer system. An unscrupulous user can use the client computer system to perpetrate a fraud in the system taught by Payne et al., e.g., by intercepting the redirect

URL and substituting information in the redirect URL. An unscrupulous user might do this to pay for an inexpensive digital product such as a single song or photograph image and then modify and use the redirect URL to receive a more expensive digital product such as an entire album of music or a DVD movie.

While various security measures can be employed within the system of Payne et al. to prevent such a fraudulent acquisition of digital content, the Examiner has not cited any teaching or suggestion for the particular solution recited in Applicants' Claim 1, namely, that the merchant computer system reserves the digital product within the content manager computer system such that any modification to any details of the purchase transaction within the client computer system is detectable by the content manager computer system by comparison of the reservation request to a delivery request signal.

Accordingly, Claim 1 is allowable over Payne et al. All pending claims directly or indirectly recite language similar to that discussed above with respect to Claim 1 and are therefore allowable over Payne et al. for at least those reasons given above with respect to Claim 1.

Payne et al. in Combination with Stefik et al.

The Examiner rejected Claims 4, 5, 9, and 27-38 as unpatentable in view of Payne et al. in combination with Stefik et al. Applicants respectfully traverse this rejection and request reconsideration and withdrawal of this rejection.

The Examiner has not identified within Stefik et al. any of the missing teachings of Payne et al. as discussed above. Accordingly, Claims 4, 5, 9, and 27-38 are allowable over any

combination of Payne et al. and Stefik et al. for at least the reasons given above, assuming
argendo that such combination is properly motivated in the prior art.

MARKED-UP CLAIMS TO SHOW CHANGES

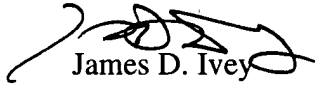
6. (Amended) The method of Claim [3] 5 wherein recording the purchase data comprises:

encrypting the purchase data in such a manner that data held secret by the media licensing computer system is required for decrypting the purchase data.

Conclusion

Claims 1-49 are now in a condition for allowance and such action is respectfully requested. If the Examiner's next action is other than for allowance of Claims 1-49 or if the Examiner has any questions or comments with respect to the above identified case, the Examiner is respectfully invited to telephone the undersigned at (510) 336-1100.

Respectfully submitted,


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